

# Minutes

## Ordinary Meeting of Council

Monday, 27th April 2020

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**City of Kingston  
Ordinary Meeting of Council**

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The meeting commenced at 7.04pm in the Kingston City Hall, 985 Nepean Highway, Moorabbin.

**Present:** Cr Georgina Oxley (Mayor)  
Cr Tamara Barth  
Cr Tamsin Bearsley  
Cr Ron Brownlees OAM  
Cr David Eden  
Cr Geoff Gledhill  
Cr George Hua  
Cr Steve Staikos  
Cr Rosemary West OAM

**In Attendance:** Julie Reid, Chief Executive Officer  
Mauro Bolin, General Manager Community Sustainability  
Paul Franklin, General Manager Corporate Services  
Bridget Draper, Acting General Manager City Assets and Environment  
Jonathan Guttmann, General Manager Planning and Development  
Phil De Losa, Manager Governance  
Gabrielle Pattenden, Governance Officer  
Lindsay Holland, Facilities Officer

**1. Apologies**

There were no apologies submitted to the meeting.

**2. Confirmation of Minutes of Previous Meetings**

**Moved: Cr Gledhill**

**Seconded: Cr Staikos**

That the Minutes of the following meetings be confirmed:

- Ordinary Meeting of Council held on 23 March 2020
- Special Meeting of Council held on 30 March 2020 (Community Support during COVID-19)
- Special Meeting of Council held on 30 March 2020 (CEO Employment Matters)
- Special Meeting of Council held on 30 March 2020 (Property Matter)
- Special Meeting of Council held on 14 April 2020 (CEO Employment Matters)
- Special Meeting of Council held on 14 April 2020 (Property Matter)

**CARRIED**

**3. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest**

The CEO, Julie Reid foreshadowed declarations of conflicts of interest in Items 11.3, 12.1 and 14.4.

Cr Gledhill foreshadowed a declaration of a conflict of interest in Item 14.2.

Cr Bearsley foreshadowed a declaration of a conflict of interest in Item 10.7.

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**4. Petitions**

**4.1 Traffic Slow Points in Lochiel Avenue, Edithvale**

**Moved: Cr Bearsley**

**Seconded: Cr Eden**

That the petition be referred to the CEO for response.

**CARRIED**

**5. Presentation of Awards**

Nil

**Acknowledgement**

Cr Staikos acknowledged the passing of Thelma Spice and her contribution to the City of Kingston community.

**6. Reports from Delegates Appointed by Council to Various Organisations**

Cr West reported on a meeting of the Association of Bayside Municipalities

**Moved: Cr Bearsley**

**Seconded: Cr Staikos**

That the delegate's report be received.

**CARRIED**

**7. Question Time**

**Moved: Cr West**

**Seconded: Cr Staikos**

That notwithstanding the requirement of Clause 18(4) of the Meeting Procedures Local Law that answers be read out to all questions submitted by 7.30pm given the current State of Emergency and measures responding to the Covid-19 Coronavirus.

**CARRIED**

Question time was held at 8.25pm. Refer to page 21 of the Minutes.

**Block Resolution**

**Moved: Cr West**

**Seconded: Cr Gledhill**

That the following items be block resolved and that the recommendation in each item be adopted:

- 8.1 Town Planning Application Decisions - March 2020
- 8.4 Draft Social and Affordable Housing Strategy
- 8.5 Urban Cooling Strategy - Consultation Feedback and Updated Strategy
- 8.8 Response to Notice of Motion No. 3/2020 - Review of Significant Tree Register
- 8.9 Bay Watch Committee - Terms of Reference
- 8.10 Trial of Dog Litter Bag Dispensers
- 8.11 Tree removal applications at 294-296 Warrigal Road Cheltenham (PT-2020/118 and PT-2020/119)
- 9.1 Chelsea Sports Club (Tom Johnson Pavilion) - Request to Install Passenger Lift
- 10.2 Level Crossing Removal Project - Chelsea Environmental Management Strategy Feedback
- 10.3 Food Organic and Garden Organic Service - Next Stages of Implementation
- 10.6 Lease 12 - 14 Kerr St Crescent Aspendale Gardens
- 10.8 Chadwick Reserve Consultation Findings - Pavilion and Landscaping
- 10.9 Foreshore and Public Amenities Cleansing Contract
- 11.2 Quick Response Grants
- 11.4 Assembly of Councillors Record

**CARRIED**

**8. Planning and Development Reports**

**8.1 Town Planning Application Decisions - March 2020**

**RECOMMENDATION**

That the report be noted.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**8.2 KP-2017/149 - 13-15 Taylor Street, Moorabbin**

**Moved: Cr Staikos**

**Seconded: Cr Barth**

That Council determine to support the proposal and issue a Notice of Decision to Grant a Permit to use and develop the land for dwellings and retail in a 12 storey building at **Error! No document variable supplied.**, subject to the following conditions:

1. Before the use/development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the advertised plans prepared by Steller, Drawing No's. TP01 to 1 to 24 inclusive, Revision D, dated Jan 2019, submitted on 3/6/2019, but modified to show:
  - a) additional external storage provided that complies with Standard D20 of Clause 58 of the Kingston Planning Scheme for studio, 2 and 3 bedroom dwellings, and at least 3.2m<sup>3</sup> for 1 bedroom dwellings, with any necessary changes to parking layouts or replacement of excess bicycle spaces but minimising any loss to retail or commercial floor areas;
  - b) the storage required in condition 1a) of this permit be provided at grade for all 2 bedroom dwellings as a minimum, and with the deletion of the maximum amount of over-bonnet storage accordingly;
  - c) external storage be allocated on plan with the storage allocation table updated and showing the number of bedrooms per apartment;
  - d) all storage to be secure and made private with non-transparent walls/doors, notated on plans accordingly;
  - e) a full kitchen with a return/island bench provided for Apartments 301,401,501,601,701, with the living, a dedicated dining area, and kitchen demonstrated to comply with Standards D20, D24, and D25 of Clause 58 of the Kingston Planning Scheme;
  - f) balustrading/privacy screening to 1.7 metres from finished floor level or similar along the southern side boundary to any adjacent balcony/terrace or habitable room window within 4.5 metres of the boundary;
  - g) all balconies to studio, 1 and 2 bedroom apartments provided with a minimum area of 9.5 sqm or relocate the air-con unit outside of the balcony;
  - h) detailed drawings showing all key design features, including details of balconies, balustrades, planters, architectural features and fenestration that achieves a high level of architectural design;
  - i) provision of a full materials and finishes schedule including colours, to match the elevations and vice-versa;
  - j) building services finished in a concealed way that integrates with the overall façade materials;
  - k) communal roof top space defined into smaller areas by landscaping/hardscaping and better protected to encourage use all year round;

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- l) provision of additional services in the rooftop internal space including a sink, toilet and kitchenette;
- m) details of the roof void, either covered by transparent material or open to the sky;
- n) details or plan notations identifying any glazing, the size of fenestration and its transparency where adjacent to the internal void, designed to maximise daylight access to communal areas;
- o) the base of the internal void at 3rd floor made accessible and designed for useable communal space and landscaped where feasible;
- p) provision for a grease trap and connections to at least 1 retail tenancy;
- q) the wall between the two adjacent retail tenancies designed in part as a non-load bearing wall sufficient to allow the tenancies to be combined without structural changes, notated on plans;
- r) swept paths demonstrating adequate entry and exit to car space No.57, and with any changes required but without reduction to the office floor area;
- s) provision of one-way traffic management for the internal single width ramped access between ground and first floor parking;
- t) basement parking be mechanically ventilated;
- u) elevations to show obscured glazed windows as notated on the floor plans;
- v) reinstatement of the redundant crossover(s) to Taylor Street;
- w) boundary lengths notated on plans;
- x) a plan notation that identifies the space forward of the planter boxes to Apts 301-305 as open to sky;
- y) a plan correction to floor plans to show the canopy above footpath;
- z) the provision of a longitudinal section of the basement ramp showing gradients, levels, distances, with headroom clearances complying with AS2890.1:2004 and the flood proof apex required by Condition 11 of this permit;
- aa) a plan notation stating: "footpath in Taylor Street must be reconstructed to be full width from the property boundary to back of kerb with 600mm x 600mm saw cuts in 8.3% black concrete to the satisfaction of the Responsible Authority";
- bb) a plan notation stating: "the existing laneway (Macs Lane) on the west of the property for the full width of the subject site including drainage works must be designed with colour concrete and exposed aggregate feature bands as per Council Standards; drained and constructed at the full cost of the owner/developer as per engineering plans approved by Council";
- cc) provision of the Sustainable Management Plan prepared by Sustainable Development Consultants, dated February 2019 Version 3, but modified to show:
  - i) clarification of provision of dishwashers and clothes dryers, or altered correctly in BESS to scope out or provide star rating;
  - ii) Additional notes on the plans to indicate size and location of rainwater tanks and connection to toilets and irrigation;

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- iii) a solar PV system on the roof space of minimum 7.5kWp, setback from the roof edge and screened where required in a manner that is not visible from the street;
  - iv) external tap and drainage to each balcony;
  - v) updated to reflect the current proposal, with the above requirements, and demonstrated to meet or exceed the BESS Best Practice;
  - vi) all relevant or principle commitments shown/summarised on plans.
- dd) endorsement of the submitted Waste Management Plan prepared by Strataplan dated 4/2/2019, updated where required;
- ee) provision of a landscape plan in accordance with the submitted development plan and with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the responsible Authority and incorporating:
- i) detailing rooftop common areas and all planter boxes, including details of a landscape maintenance and management plan demonstrating the resilience of the features in the long term
  - ii) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
  - iii) The delineation of all garden beds, paving, and other landscape works
  - iv) A range of plant types from ground covers to large shrubs and trees, considered suitable for planting within the roof top space
  - v) Details of all irrigation and drainage systems including cross sections of planter boxes proposed drainage and soil media
  - vi) The provision of notes regarding any specific maintenance requirements in the form of a landscape maintenance manual
  - vii) The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced
  - viii) Planter boxes specified to have a minimum substrate soil depth of 1 metre
  - ix) Specifications for the substrate to be used in the planter boxes.

**Endorsed Plans**

2. The development and/or use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**Wind assessment**

3. Before plans are submitted for endorsement, a wind assessment report to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. This report must demonstrate the potential wind impact of the development on the public realm. When approved, the report will be endorsed and will then form part of the permit. The amended documentation required under Condition 1 of this permit must conform to this endorsed report and adopt the provisions, recommendations and design requirements of the



report.

Street trees

4. Tree Protection Fencing is to be established around the street tree, the *Gleditsia triacanthos* (Honey Locust) on Taylor Street prior to demolition and maintained until all works on site are complete.
  - a) The fencing is to be a 1.8 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting
  - b) The fencing is to extend for a minimum of 3 metres surrounding the tree and allow for pedestrian and vehicle movement.

Drainage and Water Sensitive Urban Design

5. Unless with prior written consent of the Responsible Authority, before the development commences the following Integrated Stormwater Management (drainage) documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority:
  - a) Stormwater Management (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.
  - b) Prior to submitting detailed plans, a comprehensive stormwater management (drainage) strategy for the site must be prepared that addresses the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
  - c) The stormwater management (drainage) strategy must include a report with music modelling results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
6. The water sensitive urban design treatments as per conditions above must be implemented on-site, unless an alternative agreement is reached with the Responsible Authority.
7. Stormwater (drainage) works must be implemented in accordance with the approved stormwater management (drainage) plan and to the satisfaction of the Responsible Authority including the following:
  - a) All stormwater (drainage) works must be provided onsite so as to prevent overflows onto adjacent properties.
  - b) The implementation of stormwater (drainage) detention system which restricts stormwater discharge to the maximum allowable flowrate of 11.2L/s.
  - c) All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.
8. A groundwater assessment report (GAR) must be prepared by a qualified hydro-geologist to assess any possible impacts the proposed development has on the

ground water table, surrounding land and buildings to the satisfaction of Responsible Authority. Should the findings of the submitted GAR demonstrate that the site is likely to experience issues associated with ground water management, a ground water management plan (GMP) must be submitted to and approved by the responsible authority.

9. The basement structure must be designed to respond to the findings of the GAR and GMP required by the above condition and constructed to the satisfaction of the responsible authority.
10. A flood proof apex (ie ridge level) protecting the property from any overland flows must be provided in accordance with Council's 'Basement Policy Guidelines'. The apex must be of minimum 150mm above the existing invert level of the laneway along the entire laneway frontage of the subject site. This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (eg. rise in concrete driveway/pathway, sleeper retaining wall, solid brick fence/wall). Low mounded soil on its own is unlikely to be acceptable due to the likelihood of future disturbance.
11. Before the occupation of the development commences, the laneway as described in Condition 1 must be designed and constructed at the full cost of the owner/developer and maintained in accordance with the plans approved by the Council. Discussion with Council's Development Engineer is recommended prior to submission of a design. A priced schedule of works within the laneway and the payment of Council's engineering fees of 3.25% of the cost of the works are required to be submitted prior to approval.

#### Construction Management

12. Prior to the commencement of any buildings and works on the land (including demolition), a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy, July 2015 and Construction Management Guidelines, 1 November 2015 (and any superseding versions and / or documents). The CMP must specify and deal with, but is not limited to, the following elements:
  - a) Public Safety, Amenity and Site Security
  - b) Traffic Management
  - c) Stakeholder Management
  - d) Operating Hours, Noise and Vibration Controls
  - e) Air Quality and Dust Management
  - f) Stormwater and Sediment Control
  - g) Waste and Materials Re-use

When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

#### Sustainable Management Plan (SMP)

13. Prior to the occupation of any building approved under this permit, written confirmation from the author of the endorsed SMP is to be submitted to the Responsible Authority that all of the required measures specified in the SMP have been implemented.

Infrastructure and Road Works

14. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.
15. Property boundary and footpath levels must not be altered without the prior written consent form the Responsible Authority.
16. Any reinstatements and vehicle crossings are to be constructed to the satisfaction of the Responsible Authority.
17. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
18. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
19. Prior to the commencement of development, property boundary, footpath levels must be obtained from Council's Roads and Drains Department with all levels raised or lowered to the satisfaction of the Responsible Authority.
20. The footpath in Taylor Street must be reconstructed to be full width from the property boundary to back of kerb with 600mm x 600mm saw cuts in 8.3% black concrete to the satisfaction of the Responsible Authority.
21. The footpath must be reconstructed to Council's commercial standards to the satisfaction of the Responsible Authority.
22. All ramps at doorways are to be graded internally within the property. Changes in grade are not permitted on the footpath.
23. Property boundary laneway levels in Macs Lane must not be altered without the prior written consent form the Responsible Authority.

General amenity conditions

24. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
25. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.
26. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.
27. The amenity of the area must not be detrimentally affected by the development and/or use, through the:
  - i) Transport of materials, goods or commodities to or from the land.
  - ii) Appearance of any building, works or materials.
  - iii) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - iv) Presence of vermin.
  - v) Any other way.

Completion of Works

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28. Prior to the occupation of the development hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
29. Prior to the occupation of the development hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained (except where that landscaping is on public land) to the satisfaction of the Responsible Authority.

**Time Limits**

30. In accordance with section 68 of the *Planning and Environment Act 1987* (the Act), this permit will expire if one of the following circumstances applies:
- The development is not started within two (2) years from the date of permit issue.
  - The development is not completed within four (4) years from the date of permit issue.
  - The use has not commenced within two (2) years of completion of the development.
  - The use is discontinued for a period of two (2) years.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension.

**Note:** Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

**Note:** Prior to the commencement of the development you are required to obtain the necessary Building Permit.

**Note:** The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

**Note:** The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011).

**Note:** The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

**Note:** The Side Entry Storm Water pit within the vehicle crossing must be constructed to the satisfaction of Council's Roads and Drains Department.

**CARRIED**

**8.3 Housing Strategy and Neighbourhood Character Study**

**Moved: Cr West**

**Seconded: Cr Eden**

That Council:

1. Note this report as an update in relation to the progress in finalising the Housing Strategy and Neighbourhood Character Study project.
2. Advise the Department of Environment, Land, Water and Planning (DELWP) of the delay in Council's consideration and subsequent consultation in relation to the Housing Strategy and Neighbourhood Character Study due to the impact of the COVID 19 virus.
3. Officers calculate and provide to Council the total number of dwellings approved over the past decade in the ACZ, MUZ, C1Z and CDZ areas of Kingston (including the Highett Gasworks and Moorabbin Harvey Norman sites) so that their contribution to Kingston's housing supply can be taken into account by any DELWP officers and/or Panel Members and/or the Minister for Planning who are assessing Council's Housing Strategy Plans.

**CARRIED**

**8.4 Draft Social and Affordable Housing Strategy**

**RECOMMENDATION**

That Council:

1. Endorse the draft Social and Affordable Housing Strategy (Appendix 1) for the purposes of community and stakeholder consultation.
2. Undertake a six week consultation program as outlined under Section 3.3 of this report.
3. Note that a further report will be presented to Council following completion of the community consultation period considering all submissions and feedback received.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**8.5 Urban Cooling Strategy - Consultation Feedback and Updated Strategy**

**RECOMMENDATION**

That Council:

1. Note the themes and issues raised through the community consultation period.
2. Adopt the revised Urban Cooling Strategy (Appendix 1).

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**8.6 Response to Notice of Motion 58/2019 - Probity Review**

**Moved: Cr West**

**Seconded: Cr Brownlees**

That Council note the update on its resolutions in relation to item 8.9 at the Ordinary Meeting of Council Meeting on 24 February 2020 and that if further evidence is provided linking any of the parties to the IBAC investigation with these or other Kingston planning applications, this information should be added to the 14 applications listed in the relevant table to be included in a report to be presented to the May Ordinary Meeting of Council.

**CARRIED**

**8.7 South East Melbourne**

**Moved: Cr Staikos**

**Seconded: Cr Bearsley**

That:

1. Council continue collaborative efforts with SEM in working towards a City Deal that seeks to deliver positive transformative outcomes for the South East Melbourne region.
2. A further update be provided to Councillors once the implications of COVID-19 on the City Deal are further understood from the perspective of the Commonwealth and State Governments.

**Amendment**

**Moved: Cr West**

That:

1. Council continue collaborative efforts with SEM in working towards a City Deal that seeks to deliver positive transformative outcomes for the South East Melbourne region.
2. A further update be provided to Councillors once the implications of COVID-19 on the City Deal are further understood from the perspective of the Commonwealth and State Governments.
3. Council provide a report on what other projects are proposed as part of the proposed City Deal, apart from Kingston's recycled water pipe proposal, to the May Ordinary Meeting of Council.

**The Amendment was accepted by the Mover and Seconder**

**The Resolution now reads as follows:**

That:

1. Council continue collaborative efforts with SEM in working towards a City Deal that seeks to deliver positive transformative outcomes for the South East Melbourne region.
2. A further update be provided to Councillors once the implications of COVID-19 on the City Deal are further understood from the perspective of the Commonwealth and State Governments.

3. Council provide a report on what other projects are proposed as part of the proposed City Deal, apart from Kingston's recycled water pipe proposal, to the May Ordinary Meeting of Council.

**CARRIED**

**8.8 Response to Notice of Motion No. 3/2020 - Review of Significant Tree Register**

**RECOMMENDATION**

That:

1. This report is received as a response to Notice of Motion No. 3/2020
2. A further report is presented to Council following the community consultation process that outlines next steps with respect to progressing a planning scheme amendment.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**8.9 Bay Watch Committee - Terms of Reference**

**RECOMMENDATION**

That Council:

1. Endorse the Terms of Reference for the proposed Bay Watch Committee.
2. Note that the first meeting of the Bay Watch Committee will be scheduled in May 2020.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**8.10 Trial of Dog Litter Bag Dispensers**

**RECOMMENDATION**

That Council:

1. Note the feedback received in response to the trial period for the dog litter bag dispensers; and
2. Request further advice from officers regarding the costs and suitable locations to provide dog litter bag dispensers.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**8.11 Tree removal applications at 294-296 Warrigal Road Cheltenham (PT-2020/118 and PT-2020/119)**

**RECOMMENDATION**

That Council support the applications proposing the removal of the trees as outlined in this report, subject to the following conditions:

1. Before any trees considered under this permit are removed from the site, a replacement planting plan must be provided and approved, to the satisfaction of Council and incorporating:
  - a) Replacement trees to a ratio of up to 3:1 comprising of native canopy trees capable of growing to minimum mature height of 8m
  - b) All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
2. Before the expiry of this permit, all the trees in accordance with the replacement planting plan endorsed under Condition 1 of this permit must be planted to the satisfaction of Council.
3. All trees required to be planted under this permit must be maintained to the satisfaction of Council.
4. The replacement planting under this permit is the responsibility of the owner of the land.
5. The replacement trees are to remain on the land unless with the written consent of Council.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**9. Community Sustainability Reports**

**9.1 Chelsea Sports Club (Tom Johnson Pavilion) - Request to Install Passenger Lift**

**RECOMMENDATION**

That: Council:

1. Endorse installation of a passenger lift to meet current and future activity requirements within the Tom Johnson Pavilion, as detailed in Option 2 of this report;
2. Note the allocation of \$350,000 within the 2021/22 capital program to undertake the works, as detailed in Option 2 of this report; and
3. Authorise officers to continue to work with the sporting club committees in response to this request.

**Note:** Refer to page 5 of the Minutes where this item was block resolved



**10. City Assets and Environment Reports**

**10.1 Response to Councillor item of Urgent Business 24 February 2020 re Bay Trail Safety**

**Moved: Cr West**

**Seconded: Cr Staikos**

That Council note the information in the report detailing the number and nature of safety incidents, the responses to the incidents, and that the construction of the Bay Trail is in accordance with 26 June 2017 resolution as evidenced in supporting documentation.

**CARRIED**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Oxley, Barth, Brownlees, Eden, Staikos and West (6)

**AGAINST:** Crs Bearsley, Gledhill and Hua (3)

**CARRIED**

**10.2 Level Crossing Removal Project - Chelsea Environmental Management Strategy Feedback**

**RECOMMENDATION**

That Council:

1. Authorise the Chief Executive Officer or her delegate to write to Southern Program Alliance (SPA) to provide the officer feedback contained in Appendix 1 to Draft Chelsea Environmental Management Strategy, drawing attention to:
  - a) Early engagement with affected residents, traders and other stakeholders on any impacts to their amenity. This includes at the design stage where the completed project impacts on existing residential amenity or trader activities and during construction when disruptions are known.
  - b) Reaffirm Council's position that native vegetation should be retained wherever possible and only removed if there is no alternative to complete the works. If this cannot be achieved, then evidence of alternative design and construction methodologies considered must be provided to Council.
  - c) Reaffirm Council's position that revegetation of the rail corridor be maximised in the landscaping plans.
  - d) Opportunities presented in the immediate proximity of the rail corridor where collaboration between the Victorian State Government and Council could occur to secure and enhance areas which contain significant native vegetation.
  - e) Reaffirm the Council's position as resolved at the 28<sup>th</sup> October, 2019 Ordinary Council Meeting regarding the approach identified to manage the preservation of the heritage fabric of the Chelsea Station.
  - f) Management of soil and groundwater contamination within the rail corridor needs to be addressed given it is likely to occur as per the site investigations conducted by SPA.

- g) Management of groundwater movement around the trenches must be addressed in the design for the project. It is suggested the principles adopted in the Edithvale and Bonbeach Environmental Effects Statements also be applied to the Chelsea Project.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**10.3 Food Organic and Garden Organic Service - Next Stages of Implementation**

**RECOMMENDATION**

That Council:

1. Note and accept the update on the Food Organic and Garden Organic service implementation progress.
2. Due to COVID-19 State of Emergency restrictions, Council officers explore potential options with MASTEC, other external contractors or staff for the safe delivery of kitchen caddies, compostable liners and promotional materials as soon as practical.
3. Provide an ongoing supply of compostable liners to Kingston residents available for pick up through Council offices at Customer Care counters and Libraries. This would commence six months after the initial implementation of kitchen caddies and liners. Officers to also provide information to residents on sourcing the appropriately certified compostable liners accepted by Council's processing facility SACYR.
4. Note and accept the future options available to assist in increasing food diversion from landfill.
5. Monitor the initial implementation of the Food Organic Garden Organic service for 12 months and provide a further report in 2021 including information and recommendations from a service review on how to further increase food diversion from landfill.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**10.4 Proposed discontinuance and Sale of Road Corner of Bradshaw and Brownfield St Mordialloc**

Cr Eden left the meeting at 8:10pm

**Moved: Cr Brownlees**

**Seconded: Cr Gledhill**

That Council:

1. Consider the submissions.
2. Authorise officers to undertake the statutory procedure to discontinue and sell the road;
3. Sell the subject parcel of land for \$2,420 inclusive of GST plus associated costs; and

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4. Advise the submitters of the decision of Council and the reasons for the Decision as outlined in the Options section of this report.

**CARRIED**

**10.5 Tootal Road shared path property acquisition - Update**

**Moved: Cr Staikos**

**Seconded: Cr Brownlees**

That Council:

1. Revoke the Council resolution dated 27 May 2019 as it relates to 47-49(B) Tootal Road;
2. Request authorisation from the Minister for Planning to prepare a planning scheme amendment to apply a public acquisition overlay to 45-47(B) Tootal Road and
3. Provide consent for officers to negotiate the purchase of 51 Tootal Road directly with the owner whilst still including it in the proposed Planning Scheme Amendment in case an agreement cannot be reached.
4. Receive a further report in the event that terms are reached with the owner of 51 Tootal Road for consideration by Council.

Cr Eden returned to the meeting at 8.13pm

**CARRIED**

**10.6 Lease 12 - 14 Kerr St Crescent Aspendale Gardens**

**RECOMMENDATION**

That Council:

1. Give public notice of its intention to grant a lease for that part of Council's reserve to United Energy shown on appendix 3 as "*proposed new sub-station*" (the proposal).
2. Invite submissions on Council's proposal that will be considered in accordance with section 223 of the Local Government Act 1989.
3. Grant a lease to United Energy on the terms and conditions in this report if there are no submissions lodged with the Council in response to the public notice that requires its consideration.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**10.7 Aspendale Gardens Sports Ground Consultation Findings - Pavilion and Landscaping**

Cr Bearsley declared a conflict of interest in this item due to residential amenity as she lives in close proximity to the sports ground and left the meeting at 8.14pm prior to any discussion on the matter.

Cr Hua left the meeting at 8.14pm

**Moved: Cr Eden**

**Seconded: Cr Staikos**

That Council:

1. Acknowledge the Engagement Report Final Draft VI, as set out as Appendix 1;
2. Approve the following conditions of use with the planned pavilion at the Aspendale Gardens Sports Ground:
  - a) The tenant clubs are approved to hold up to four events per season where alcohol will be served (a maximum of 8 events per year);
  - b) The tenant clubs will be required to meet sporting code (relating to junior sport) and legislative requirements regarding the serving of alcohol. Additionally this would include an event management plan including appropriate security services on site at these events ;
  - c) The tenant clubs' four events (per season) will be required to be concluded by 11.30pm;
  - d) Pavilion use must be responsible, supporting the needs of sporting clubs whilst having minimal impact on neighbours, by being respectful in terms of late-night noise;
  - e) Management and access arrangements will minimise disagreements over space for both sporting clubs and the community. They will allow for the smooth transition between groups and season to minimise theft from and damage to the facility.
  - f) The time of use for organised sports activities are 4pm to 9.30pm Monday to Friday and 8am to 9.30pm Saturday and Sunday.
  - g) Review points 2.1- 2.6 following a 3-year period.
3. Refer the potential development of a playground at the Aspendale Gardens Sports Ground to the future review of Council's Playground Strategy;
4. Note the potential for the Aspendale Gardens Sports Ground to be designated as a future dog off leash area;
5. Approve the installation of pathway lighting (connecting Tarago Drive Aspendale to Kerr Crescent and Nurten Parade), water fountains, bench seats, pergola and landscaping as set out in Appendix 6 and the associated cost of these works to be funded from the 2019/20 and 2020/21 capital program;
6. Ensure the installation of pathway lighting complies with relevant Australian Standards and does not adversely impact upon adjacent residential properties or jeopardise environmental values of the site; and
7. Endorse the pavilion concept, set out at Appendix 4 for the purpose of commencing further design development and procurement.

Cr Hua returned to the meeting at 8.22pm

**CARRIED**

**Question Time**

Cr Staikos left the meeting at 8.25pm

Cr Bearsley returned to the meeting at 8.25pm

Cr Staikos returned to the meeting at 8.30pm

**Tom Maher asked,**

*“Will the Council make sure that flood risk is included in the Council’s housing strategy? At January’s Council meeting, Councillor Brownlees mentioned the cost of retrospectively adjusting the new Edithvale Lifesaving building due to forecast sea level rises. At the March Council meeting, Councillor West recommended Council receives a report on the risk and impact of flooding of Kingston properties as a result of predicted sea level rise and for this information to be input into the Council’s housing strategy if there is time. It would be a deficient housing strategy if the Council didn’t make certain that time is allocated. The Kingston land from Mordialloc to Seaford is low lying and historically flood prone. Will the Council make sure that flood risk is included in the Council’s housing strategy?”*

**The General Manager Planning and Development provided the following response,**

*“The Council will further consider the question provided from Mr. Maher regarding flood risk and provide him a more substantive response as to the approach proposed to be taken as part of the development of the Housing Strategy.”*

**Marc Dally asked,**

*“1. Does the Council really understand the potential impact on Street parking and community Safety as a result of increased overcrowding as a result of the Building code change proposals? 2. Does the council have a strategy for this escalating situation?”*

**The General Manager Planning and Development provided the following response,**

*“While parking and traffic have not formed the basis for reviewing future housing needs as part of the Housing Strategy, it is acknowledged that changing population does impact on the provision of a range of infrastructure, including parking, roads and transport.*

*Council’s consultant Ethos Urban has recommended that the focus for increased residential densities occurs in areas that have the greatest access to services and infrastructure, including public transport. This is intended in part, to reduce reliance on cars for travel.*

*Council has responded to the concerns of Mr. Dally through its existing Parking Management Policy that specifically limits the ability for a resident of a new development (or two or more dwellings) that was advertised after 28<sup>th</sup> July, 2015 in the areas where most development in Kingston occurs, to be excluded from receiving access to a resident parking permit.”*

**Pat Tilley asked,**

*“In March the Australian Bureau of Statistics published the 2018/2019 Population Growth report for Australia. Melbourne increased by 113,500 with the majority from overseas migration (77000), natural ie. Births/deaths 33,000 and the remaining small percentage from interstate migration. Research on the impacts of Covid19 is emerging (Eg ANU and others) that births rates decline after such an event, death rates increase and with borders remaining closed people return to their home countries. Will Council*

*'put the brakes on' with the level of change in the Housing Strategy and await further adjustments for population growth in Victoria post Covid19?'*

**The General Manager Planning and Development provided the following response,**

*"The Housing Strategy is a 20 year document that is required to take a population forecast from the most current available official figures at the time the Strategy is prepared. It's acknowledged that over time population figures have peaks and troughs, and they are revised periodically by State Government to account for these changes. Council and its demographics specialist, id Consulting, review and update forecast figures periodically based on updated figures released by the State Government (Victoria in Future forecasts) and the Australian Bureau of Statistics. The implications of Covid19 are likely to be better understood at the completion of the next Census being completed in 2021.*

*The overall size of population is one factor that the Strategy needs to consider. The changing housing needs of our population as people progress through all stages of life also needs to be planned for to ensure that there is the diversity of housing available to meet the needs of all residents.*

*At this stage no information has been provided to Council that has revised the population assumptions for the Kingston Council area but should this be made available by the Commonwealth or State Government it will be further considered."*

**Pat Tilley asked,**

*"Will Council now publish the revised maps on the Housing Strategy on their website instead of it being made individually available via email? Can the maps include street names and numbers to enable residents to see the changes near them."*

**The General Manager Planning and Development provided the following response,**

*"The draft maps discussed at the Central Ward meeting have not been endorsed by Council or put forward to a Council meeting for consideration. All proposed maps and supporting documentation for the Housing Strategy will be publicly available prior to the Council meeting at which they will be formally considered by Council. At this stage all documentation will be available 7 days prior to the scheduled Council meeting.*

*An email will be sent to everyone who has lodged a submission (with an attached email address) to let them know which Council meeting will consider the Housing Strategy & Neighbourhood Character Study, and how to access maps and documentation.*

*The draft maps do include some street names to provide reference points, however due to the geographic area/size of maps it is not possible to drill down to the level of detail requested for house numbers and individual street names.*

*Subject to Council resolution, when the documents are released on public exhibition an online mapping tool will however be available to allow residents to search for individual streets and properties."*

**Chris Hill asked,**

*"1. Thanks to the General Manager of Planning & Development for providing the revised maps for Thursday night's Central Ward meeting and having now had the opportunity to review these, it appears the Consultants are still proposing that a large area within the zone for Mentone Girls Secondary College, including many of the streets closest to the school, will be upzoned from 9m to 11m - 3 storeys. This will lead to a shift from lower density family appropriate housing, to higher density apartment*

*living within the heart of the school zone for MGSC, driving families further away from the school and I feel this highlights a significant flaw in the strategy to primarily use the distance to Activity Centres, as the key driver as to which areas should be upzoned. I understand further changes may still be made to the maps before they're finalized, so will the Consultants review their recommendations and make the necessary changes to ensure there continues to be an ample supply of family housing zoned NRZ in all the streets within walking distance of MGSC? 2. It appears from the revised maps that many Primary Schools including Cheltenham, Mentone, Parkdale, Mordialloc Beach, Aspendale, Aspendale Gardens, Edithvale, Chelsea and Westall will also lose significant pockets of family homes in the centre of their school zones in favour of higher density housing and as is the case with Mentone Girls Secondary College, this will force families further away from these schools. Surely the purpose of having school zones is to encourage families to move as close to the schools as possible, where they are ideally within walking distance, so why are the Consultants proposing that many of our State Schools will be surrounded by 3 and 4 storey apartment complexes, when we know these are not the sort of homes favoured by families? 3. Adam Creighton, Economics Editor at The Australian reported on the 16th April that 300,000 temporary visa holders had already left Australia and a further 300,000 were expected to leave by the end of the year and when you then take into account the 270,000+ new immigrants to Australia that were anticipated in 2020, it means our actual population figure will be hundreds of thousands down on what was projected for this year. Given the rationale behind the Housing Strategy was based on the assumption Australia's population would continue to grow year on year and this is clearly not the case, will the Government now scrap the existing strategy or at least make major adjustments based on the current data?"*

**The General Manager Planning and Development provided the following response,**

*"Families come in a range of forms and ensuring there is a diversity of housing options available to residents is important to cater for all housing needs now and into the future. Council also needs to consider affordable housing options for all families and individuals, noting that the cost of detached homes or larger units can be out of reach for some families.*

*The views expressed by Mr. Hill regarding Mentone Secondary College and schools more generally will be referred to the consultants for a further response.*

*Further to the response provided to Ms. Tilley's question matters relating to population forecast assumptions will be further reviewed, if revised information is made available from the Commonwealth and State Governments regarding population forecasts for Kingston."*

**Genevieve and Michael Moore asked,**

*"The existing planning controls allow 3 storeys in the numbered streets of Parkdale and have for several years as the area has been in a General Residential Zone Schedule 2.*

**The General Manager Planning and Development provided the following response,**

*"As part of the Housing Strategy and Neighbourhood Character Study, a preferred neighbourhood character is outlined for all residential areas in Kingston. Preferred neighbourhood character looks at the existing character of streets and contemplates how the character will evolve over time whilst respecting the dominant characteristics of the area.*

*Council has not as yet resolved on its formal position as to how it wishes to approach the formulation of the new planning controls for the area mentioned by Mr. and Mrs Moore."*

**Caroline Hurley asked,**

*"Could Council please confirm if it will be possible to build a double storey property in a backyard under the new housing scheme requirements?"*

**The General Manager Planning and Development provided the following response,**

*"Currently all proposals that require planning approval must consider a range of matters, including overshadowing, overlooking, setback requirements and neighbourhood character. When weighing up all of the standards and objectives that apply to new residential development, a double storey house at the rear of a property may be determined inappropriate or may require changes to make it more acceptable. A double storey dwelling in the backyard of a property is currently not prohibited, and that would continue to be the case under any new zoning requirements. Council currently has a planning policy which encourages the two storey component of new medium density housing to be located towards the front of a site but this provision does not act as a prohibition and provides some flexibility pending the proposed design solutions. Council officers are investigating ways to include zone requirements that recognise the character of open rear gardens on properties next to development sites."*

**Kevin Poulter asked,**

*"Regarding the proposed zoning maps for Kingston which were supplied in the last few days. When will the Zoning Codes and full descriptions be available please?"*

**The General Manager Planning and Development provided the following response,**

*"The date for the release of the updated Housing Strategy and work which would support its incorporation into the Kingston Planning Scheme through a Planning Scheme Amendment is yet to be determined. Council has tonight considered a report that has identified some of the constraints associated with consultation during this period where strict stipulations around Social Distancing apply because of the Covid-19 Pandemic."*

## **10.8 Chadwick Reserve Consultation Findings - Pavilion and Landscaping**

### **RECOMMENDATION**

That Council:

1. Acknowledge the Engagement Report Final Draft V1, as set out as Appendix 1;
2. Approve the following conditions of use with the planned pavilion at the Chadwick Reserve:
  - a) The tenant clubs are approved to hold up to four events per season where alcohol will be served (maximum of 8 events per year);
  - b) The tenant clubs will be required to meet sporting code (relating to junior sport) and legislative requirements regarding the serving of alcohol;



- c) The tenant clubs' four events will be required to be concluded by 11.30pm;
  - d) Pavilion use must be responsible, supporting the needs of sporting clubs whilst having minimal impact on neighbours, by being respectful in terms of late-night noise;
  - e) Management and access arrangements will minimise disagreements over space for both sporting clubs and the community. They will allow for the smooth transition between groups and season to minimise theft from and damage to the facility;
  - f) The time of use for organised sports activities are 4pm to 9.30pm Monday to Friday and 8am to 9.30pm Saturday and Sunday; and
  - g) Review points 2.1- 2.6 following a 3-year period;
3. Explore the re-levelling of the area on the west side of Chadwick Reserve to encourage recreation activities i.e. informal ball activities such as soccer and AFL, as part of the landscaping at the Reserve
4. Endorse the pavilion concept, set out at Appendix 4 for the purpose of commencing further design development and procurement; and
5. Note the planned drainage upgrade works, as set out as Appendix 5.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

### **10.9 Foreshore and Public Amenities Cleansing Contract**

#### **RECOMMENDATION**

That Council authorise the Chief Executive Officer to enter a further month to month extension of the Foreshore and Public Amenities Cleansing Services from July 2020 to 30 September 2020 for a maximum cost of \$450,000, the previous extension was from November 2019 to June 2020.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

### **11. Corporate Services Reports**

#### **11.1 In House Legal Service Providers**

**Moved: Cr Eden**

**Seconded: Cr Staikos**

That Council adopt Option 2 of the officer report as follows:

“Trial an in-house Hybrid arrangement for a period of up to 2 or 3 years (cost estimated at \$250 to \$300K pa). This will provide an opportunity for a centralised procedure to be bedded down and established within Council and the outcomes measured and reported over time. Noting that this will still require the appointment of the legal services panels as per the October 2019 report to Council”

Cr Gledhill left the meeting at 8:41pm

Cr Gledhill returned to the meeting at 8:44pm

**CARRIED**

**11.2 Quick Response Grants**

**RECOMMENDATION**

That Council approve the following grant applications:

- Dingley Village Community Association - \$1044.00 (subject to acquittal of previous grant allocated in July 2018).
- Waterways Community Garden Inc - \$1000.00
- Bayside Community Information & Support Service Inc. - \$1000.00
- Bentmoor Community Men's Shed Inc. - \$800.00
- Mentone Pre-School - \$1152.53

That Council not approve the following grant application:

- Natalie Wilson
- Waterways Residents' Association
- Joseph Sinclair

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**11.3 Chief Executive Officer - Claim of Work Related Expenses (26 August 2019 - 8 April 2020)**

The CEO Julie Reid declared direct interests in items 11.3 and 12.1 as the decisions could alter her circumstances and left the meeting at 8.54pm prior to any discussion on the matters.

**Moved: Cr Brownlees**

**Seconded: Cr Staikos**

That Council:

1. In relation to clause 8.5 of the CEO Contract of Employment receive this report of work related expenses incurred by the Chief Executive Officer during the period 26 August 2019 until 8 April 2020.
2. Approve the following work related professional development and incidental work related expenses as follows for the period between 26 August 2019 and 8 April 2020:
  - a) CEO Mentoring Program - \$7,500
  - b) LGPro (Local Government Professionals) CEO Forum 24 October 2019 - \$175.00.
  - c) Accommodation to attend LG Pro CEO Forum 24 October 2019 - \$235.00.
  - d) Parking expenses for various meetings - \$182.22.

**CARRIED**

**11.4 Assembly of Councillors Record Report**

**RECOMMENDATION**

That Council note the contents of this report for the public record.

**Note:** Refer to page 5 of the Minutes where this item was block resolved

**12. Notices of Motion**

**12.1 Notice of Motion No. 14/2020 - Cr Eden - Special Meeting of Council 30 March 2020**

**Moved: Cr Eden**

**Seconded: Cr West**

That the Special Meeting of Council of 30 March 2020 in relation to the CEO contract including the minutes and meeting be made public.

**LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Oxley, Eden and West (3)

**AGAINST:** Crs Barth, Bearsley, Brownlees, Gledhill, Hua and Staikos (6)

**LOST**

The CEO Julie Reid returned to the meeting at 9.13pm

**12.2 Notice of Motion No. 15/2020 - Cr West - Make Public Plans for the Cheltenham Station Forecourt Extension**

**Moved: Cr West**

**Seconded: Cr Eden**

That Council:

1. Provide Councillors and the community with an opportunity to see clear plans showing what Council's proposed 516 sq m Cheltenham Station forecourt extension would look like, compared with the existing forecourt to be provided by LXR (including the decking over the railway line for which Council has already agreed to pay \$2m) in a timely manner,
2. Consider submissions from community members in the light of the above information.
3. Investigate what extra cost would be required to postpone the proposed demolition of the Cheltenham shops until after such consultation takes place.

**Amendment**

**Moved: Cr Brownlees**

1. That Council requests the LXR to provide the community via its community consultative process and local Reference Group with an opportunity to see the plans for the proposed Cheltenham forecourt and public access to the new

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Cheltenham station that include the recently acquired 261 M2 of council owned land fronting Charman Road, together with the original design that includes the already agreed decking over the southern portion of the railway line.

2. That any submissions from community members be referred to the LXP.
3. That officers report on the cost of demolition of the properties at 243 and 245 Charman Road once it is available.

**The Chairperson did not accept the amendment as it would directly contradict the Motion.**

**The Motion was LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Oxley, Eden, Staikos and West (4)

**AGAINST:** Crs Brownlees and Hua (2)

**ABSTAINED:** Crs Barth, Bearsley and Gledhill (3)

**LOST**

**12.3 Notice of Motion No. 16/2020 - Cr West - Make Public Minutes of Special Meeting of Council 14 April 2020**

**Moved: Cr West**

**Seconded: Cr Eden**

That Council make public the Minutes of the 6pm Special Meeting of Council on 14 April 2020 that dealt with the motion I moved at item 3.1 – Property Matter including any amendments and votes recorded.

**Procedural Motion**

**Moved: Cr West**

**Seconded: Cr Staikos**

That the meeting be extended by 20 minutes until 10.20pm

**CARRIED**

**The Substantive Motion was LOST**

**A Division was Called:**

**DIVISION:**

**FOR:** Crs Oxley, Eden and West (3)

**AGAINST:** Nil (0)

**ABSTAINED:** Crs Barth, Bearsley, Brownlees, Gledhill, Hua and Staikos (6)

**LOST**

**13. Urgent Business**

There were no items of urgent business.

**14. Confidential Items**

**Moved: Cr Brownlees**

**Seconded: Cr Staikos**

That in accordance with the provisions of section 89(2) of the *Local Government Act 1989*, the meeting be closed to members of the public for the consideration of the following confidential items:

**14.1 Response to Notice of Motion 32/2018 - Investigation of Open Space Opportunities Oakleigh South**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to contractual matters (s89 2d) and proposed developments (s89 2e)*

**1.1 Revised approach to Parkdale Secondary College - Joint Use Agreement**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to legal advice (s89 2f)*

**14.3 Response to Notice of Motion 10/2020**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)*

**14.4 CEO Employment Matters**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to personnel matters (s89 2a)*

**Confidential Appendices**

**10.5 Tootal Road shared path property acquisition - Update  
Appendix 1, Tootal Road, Dingley Village -Land Acquisition for Shared Path -  
March 2020**

*This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2f)*

**10.5 Tootal Road shared path property acquisition - Update  
Appendix 2, 51 Tootal Road, Dingley Village Legal Advice**

*This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2f)*

**CARRIED**

The meeting was closed to members of the public at 10.03pm.

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**Procedural Motion**

**Moved: Cr Gledhill**

**Seconded: Cr Staikos**

That the meeting be opened to members of the public

**CARRIED**

The meeting was opened to members of the public at 10.45pm.

The meeting closed at 10.45pm.

**Confirmed.....**

**The Mayor 25 May 2020**